

REMARKS

The Office Action dated February 22, 2005 has been carefully considered. Claims 1-20 are pending. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. The Specification and Claims 1, 7, 11 and 17-19 have been amended, and Claim 20 has been added in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

An interview was held with the Examiner, Mr. Dwain M. Craig, on May 19, 2005 to discuss the rejections under 35 U.S.C. § 103(a) and the proposed amendments thereto. Applicants wish to thank the Examiner for his time and the courtesies extended.

The Specification stands objected to due to an informality. Applicants have amended the Specification to remove the informality. Accordingly, Applicants respectfully request that the objection to the Specification be withdrawn.

Claim 7 stands objected to due to an informality. Amended Claim 7 reads "A method for determining." Accordingly, Applicants respectfully request that the objection to the amended Claim 7 be withdrawn.

Claims 17-19 stand rejected under 35 U.S.C. § 101 as not being directed to non-statutory subject matter. Insofar as these rejections may be applied against the amended claims, they are deemed overcome. The language of Claims 17-19 has been amended to read, "A computer program product for selecting test cases, the computer program product having a medium with a computer program embodied thereon, *wherein the computer program when executed causes the computer to perform the following functions.*" Accordingly, Applicants respectfully request that the rejections of Claims 17-19 under 35 U.S.C. § 101 be withdrawn and the amended Claims 17-19 be allowed.

Claims 7, 11 and 18-19 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Insofar as these rejections may be applied against the amended claims, they are deemed overcome.

Claim 7 has been amended to read, “A method for determining whether a test case should be selected for a *list of* test cases.” The limitation of “retiring the current event” in Claims 11 and 19 is described within the Specification. Support for “retiring the current event” is provided, among other places, on page 7, lines 8-13, of the original Application. The limitation of a “necessary test case” is described within the Specification. Support for a “necessary test case” is provided, among other places, on page 5, lines 13-18, of the original Application. Accordingly, Applicants respectfully request that the rejection of Claims 7, 11 and 18-19 under 35 U.S.C. § 112, second paragraph be withdrawn and that amended Claims 7, 11 and 18-19 be allowed.

Claims 1-19 stand rejected under 35 U.S.C. § 103(a) in view of U.S. Patent 6,675,138 to Hollander et al. (“138”) and U.S. Patent 6,128,258 to Hollander (“258”). Insofar as these rejections may be applied against the amended claims, they are deemed overcome.

Claim 1 has been amended to clarify a distinguishing feature of the present invention. The method for selecting test cases of Claim 1 includes “determining whether all test cases in the test-case list are processed *by analyzing the harvest-goals file.*” Support for this amendment may be found, among other places, page 8, lines 7-15, of the original Application.

The ‘138 patent and the ‘258 patent do not teach, suggest, or disclose this feature of the present invention. The ‘138 patent discloses a method of testing a simulation model by collecting testing information and physically analyzing the results. The ‘258 patent discloses a method for verifying circuit design by using a test generator module to automatically create verification tests

from a functional description. In contrast with the cited references, the present invention uses a harvest-goals file containing a list of events, an initial goal for each event, and an accumulative count of hits for each event to provide more efficient testing. After a test case is harvested the harvest-goals file is updated by identifying the test case and adjusting the accumulative count of hits for the event. Accordingly, if an event of a test case is successfully tested then the system knows that the event does not need to be tested again. Therefore, the harvest-goals file is continually updated, and it keeps track of the events which still need to be tested. This feature of the present invention provides for more efficient testing by analyzing previous test results. The cited references disclose accomplishing test cases and providing a list of the test results without updating any testing parameters.

In view of the foregoing, it is apparent that the cited references do not disclose, teach, or suggest the unique combination now recited in amended Claim 1. Applicants therefore submit that amended Claim 1 is both clearly and precisely distinguishable over the cited references in a patentable sense. Accordingly, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 103(a) in view of the '138 patent and the '258 patent be withdrawn and that amended Claim 1 be allowed.

Claims 2-6 depend upon and further limit amended Claim 1. Hence, for at least the aforementioned reasons, these Claims should be deemed to be in condition for allowance. Accordingly, Applicants respectfully request that the rejections of dependent Claims 2-6 also be withdrawn.

Claim 7 has been amended to clarify a distinguishing feature of the present invention. The method for selecting test cases of Claim 7 includes "determining whether all necessary test cases are

generated...*by analyzing the harvest-goals file.*” Support for this amendment may be found, among other places, page 8, lines 7-15, of the original Application.

The ‘138 patent and the ‘258 patent do not teach, suggest, or disclose this feature of the present invention. The ‘138 patent discloses a method of testing a simulation model by collecting testing information and physically analyzing the results. The ‘258 patent discloses a method for verifying circuit design by using a test generator module to automatically create verification tests from a functional description. In contrast with the cited references, the present invention uses a harvest-goals file containing a list of events, an initial goal for each event, and an accumulative count of hits for each event to provide more efficient testing. After a test case is harvested the harvest-goals file is updated by identifying the test case and adjusting the accumulative count of hits for the event. Accordingly, if an event of a test case is successfully tested then the system knows that the event does not need to be tested again. Therefore, the harvest-goals file is continually updated, and it keeps track of the events which still need to be tested. This feature of the present invention provides for more efficient testing by analyzing previous test results. The cited references disclose accomplishing test cases and providing a list of the test results without updating any testing parameters.

In view of the foregoing, it is apparent that the cited references do not disclose, teach, or suggest the unique combination now recited in amended Claim 7. Applicants therefore submit that amended Claim 7 is both clearly and precisely distinguishable over the cited references in a patentable sense. Accordingly, Applicants respectfully request that the rejection of Claim 7 under 35 U.S.C. § 103(a) in view of the ‘138 patent and the ‘258 patent be withdrawn and that amended Claim 1 be allowed.

Claims 8-10 depend upon and further limit amended Claim 7. Hence, for at least the aforementioned reasons, these Claims should be deemed to be in condition for allowance. Accordingly, Applicants respectfully request that the rejections of dependent Claims 8-10 also be withdrawn.

Claim 11 has been amended to clarify a distinguishing feature of the present invention. The method for selecting test cases of Claim 11 includes “determining if there is another event to evaluate *by analyzing the harvest-goals file.*” Support for this amendment may be found, among other places, page 8, lines 7-15, of the original Application.

The ‘138 patent and the ‘258 patent do not teach, suggest, or disclose this feature of the present invention. The ‘138 patent discloses a method of testing a simulation model by collecting testing information and physically analyzing the results. The ‘258 patent discloses a method for verifying circuit design by using a test generator module to automatically create verification tests from a functional description. In contrast with the cited references, the present invention uses a harvest-goals file containing a list of events, an initial goal for each event, and an accumulative count of hits for each event to provide more efficient testing. After a test case is harvested the harvest-goals file is updated by identifying the test case and adjusting the accumulative count of hits for the event. Accordingly, if an event of a test case is successfully tested then the system knows that the event does not need to be tested again. Therefore, the harvest-goals file is continually updated, and it keeps track of the events which still need to be tested. This feature of the present invention provides for more efficient testing by analyzing previous test results. The cited references disclose accomplishing test cases and providing a list of the test results without updating any testing parameters.

In view of the foregoing, it is apparent that the cited references do not disclose, teach, or suggest the unique combination now recited in amended Claim 11. Applicants therefore submit that amended Claim 11 is both clearly and precisely distinguishable over the cited references in a patentable sense. Accordingly, Applicants respectfully request that the rejection of Claim 11 under 35 U.S.C. § 103(a) in view of the '138 patent and the '258 patent be withdrawn and that amended Claim 11 be allowed.

Claims 12-16 depend upon and further limit amended Claim 11. Hence, for at least the aforementioned reasons, these Claims should be deemed to be in condition for allowance. Accordingly, Applicants respectfully request that the rejections of dependent Claims 12-16 also be withdrawn.

Claim 17 has been amended in a similar manner to amended Claim 1. Hence, for at least the aforementioned reasons that amended Claim 1 is distinguishable from the cited references, amended Claim 17 is also distinguishable from the cited references. Accordingly, Applicants respectfully request that the rejection of Claim 17 be withdrawn.

Claim 18 has been amended in a similar manner to amended Claim 7. Hence, for at least the aforementioned reasons that amended Claim 7 is distinguishable from the cited references, amended Claim 18 is also distinguishable from the cited references. Accordingly, Applicants respectfully request that the rejection of Claim 18 be withdrawn.

Claim 19 has been amended in a similar manner to amended Claim 11. Hence, for at least the aforementioned reasons that amended Claim 11 is distinguishable from the cited references, amended Claim 19 is also distinguishable from the cited references. Accordingly, Applicants respectfully request that the rejection of Claim 19 be withdrawn.


Claim 20 is a new independent claim. Applicants respectfully submit that support for new Claim 20 is provided throughout the original Application. Applicants have now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request full allowance of Claims 1-20.

Applicants hereby authorize the Commissioner to charge the fee required under 37 CFR 1.16(h) for one independent claim in excess of three to Deposit Account No. 50-0605 of CARR LLP. Applicants do not believe that any other fees are due; however, in the event that any other fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP..

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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